## REMARKS

In accordance with MPEP Section 2011.11 (page 200-75, Rev. 1, Feb. 2003) a petition and surcharge are not required where the information to correct the benefit claim was recognized by the Office (see the filing receipt and/or the first page of the publication (No. US 2004/0132338 A1) wherein the Office recognized that this application is a division of U.S. application No. 10/242,060 filed Sep. 12, 2002.

This amendment is submitted for the purpose of bringing the application into compliance with 37 CFR 1.78(a)(2)(i).

Respectfully submitted,

Richard B. Lazarus

Reg. No. 48,215

81658v1 DCDS01